

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION**

PARKS, MILLICAN & MANN, LLC,

Plaintiff,

v.

Civil Action No. 2:16-cv-00522

FIGURES TOY COMPANY

and

RING OF HONOR WRESTLING
ENTERTAINMENT LLC,

Defendants.

**DEFENDANT FIGURES TOY COMPANY'S
MOTION TO PARTIALLY DISMISS PLAINTIFF'S THIRD AMENDED COMPLAINT**

Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, Defendant Figures Toy Company (“Figures”) moves to partially dismiss Plaintiff Parks, Millican & Mann, LLC’s Third Amended Complaint (Dkt. No. 21). Specifically, Figures seeks dismissal of Plaintiff’s claims for copyright infringement and violation of the DMCA to the extent those claims are based on the Heavyweight World Championship Belt. Figures also seeks dismissal of Plaintiff’s statutory business conspiracy claim in its entirety. As this was Plaintiff’s fourth opportunity to attempt to state a claim against Figures, these claims should be dismissed with prejudice.

In support of this Motion, Figures submits the accompanying Memorandum of Law, and Proposed Order.

Dated: December 22, 2017

By: /s/Mary D. Hallerman
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CERTIFICATE OF SERVICE

I hereby certify on December 22, 2017, I electronically filed the foregoing document—
DEFENDANT FIGURES TOY COMPANY'S MOTION TO PARTIALLY DISMISS
PLAINTIFF'S THIRD AMENDED COMPLAINT—with the Clerk of Court using the CM/ECF
system, which will then send a notification of such filing (NEF) to the following counsel of
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